

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

ABBOTT DIABETES CARE, INC.,)	
)	
Plaintiff,)	
)	C.A. No. 05-590 GMS
v.)	
)	
DEXCOM, INC.,)	
)	
Defendants.)	
)	

ORDER

WHEREAS, on August 11, 2005, Abbott Diabetes Care, Inc. ("Abbott") filed this patent infringement action against DexCom, Inc. ("DexCom");

WHEREAS, on August 31, 2005, DexCom filed a Motion to Dismiss for Lack of Jurisdiction Over the Subject Matter (D.I. 5);

WHEREAS, pursuant to District of Delaware Local Rule 7.1.2(a) (1995), an answer brief to DexCom's motion was due on September 15, 2005, but DexCom granted Abbott an extension until September 22, 2005 (D.I. 11);

WHEREAS, on September 6, 2005, Abbott filed a Motion for Limited Jurisdictional Discovery and for a Corresponding Extension of the Briefing Schedule on DexCom's Motion to Dismiss (D.I. 9);

WHEREAS, on September 19, 2005, Abbott filed a separate Motion to Extend the Briefing Schedule on DexCom's Motion to Dismiss Pending Resolution of Abbott's Motion for Limited Jurisdictional Discovery (D.I. 15);

WHEREAS, the motion asserts that DexCom refused to grant Abbott the extension it was seeking;

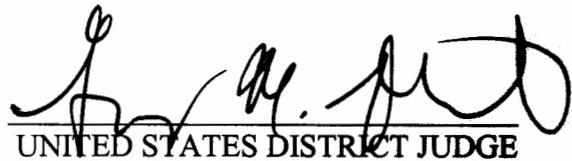
WHEREAS, pursuant to District of Delaware Local Rule 7.1.2(a) (1995), an answer to Abbott's motion is not due until October 3, 2005; and

WHEREAS, it is the court's policy not to decide a motion before it is fully briefed;

IT IS HEREBY ORDERED that:

1. Abbott's Motion to Extend the Briefing Schedule on DexCom's Motion to Dismiss Pending Resolution of Abbott's Motion for Limited Jurisdictional Discovery (D.I. 15) is DENIED.
2. Abbott shall file its answering brief to DexCom's Motion to Dismiss for Lack of Jurisdiction Over the Subject Matter (D.I. 5) on September 22, 2005, electronically, using CM/ECF.

Dated: September 20, 2005



UNITED STATES DISTRICT JUDGE

